

UNITED STATES
DEPARTMENT OF THE INTERIOR Release
BUREAU OF LAND MANAGEMENT 8-62

MANUAL TRANSMITTAL SHEET Date

12/22/93

Subject

8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
DIRECTION FOR IDENTIFICATION, EVALUATION, AND MANAGEMENT

1. Explanation of Material Transmitted: Four changes are being made to the Manual Section. The first change is a result of a settlement agreement in American Rivers, et al. vs. Babbitt, et al., civil Case Number J91-023 (D. Alaska) and incorporates guidance in Instruction Memorandum No. 94-60, dated November 26, 1993. The second change is to reflect the Director's guidance contained in Instruction Memorandum No. 94-69, dated December 3, 1993, which revised policy in applying jurisdictional considerations in wild and scenic river determinations. Evaluation of jurisdiction is more appropriately addressed in the suitability phase of river studies as opposed to the eligibility phase. This change is reflected in Section .33A2. The third change is an update in the boundary identification language for study rivers in Alaska, and the fourth change is a revision to Illustration 4 in order to reflect the correct program office mailing code (the new WO-270 code instead of the old WO-340 code).
2. Reports Required: None.
3. Material Superseded: The material superseded by this release is listed under "REMOVE" below. No other directives are superseded.
4. Filing Instructions: File as directed below.

REMOVE:

.05C (Rel. 8-61)
.2 (Rel. 8-61)
.31C4 (Rel. 8-61)
.32C (Rel. 8-61)
Illustration 4 (Rel. 8-61)

(Total: 5 Sheets)

INSERT:

.05C
.2
.31C4
.32C
.33A3
Illustration 4

(Total: 6 sheets)

/s/ J. David Almand, Acting

Assistant Director, Land and Renewable Resources

UNITED STATES
DEPARTMENT OF THE INTERIOR Release
BUREAU OF LAND MANAGEMENT 8-61

MANUAL TRANSMITTAL SHEET Date

5/19/92

Subject

8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
DIRECTION FOR IDENTIFICATION, EVALUATION, AND MANAGEMENT

1. Explanation of Material Transmitted: This Manual release establishes policy, program direction, and procedural standards for fulfilling requirements of the Wild and Scenic Rivers Act (WSRA). This Manual Section sets forth requirements for the identification, evaluation, reporting, and management of potential and existing wild, scenic, and/or recreational (WSR) rivers in the National Wild and Scenic Rivers System (NWSRS) under BLM's administration.

It provides the line manager and program staff professional with specific policies for conducting WSR river studies within the resource management planning process, environmental analysis, legislative reporting, and sets forth requirements for protection and management, and other related information. It also expands upon BLM Manual Section 1623.41A2d and the U.S. Department of the Interior - U.S. Department of Agriculture (USDI-USDA) Final Revised Guidelines for Eligibility, Classification, and Management of River Areas (47 FR 39454).

This Manual is transmitted in response to field requests and to consolidate program guidance so as to avoid reissuance each year.

2. Reports Required: Wild and Scenic River Study Reports associated with transmittal documents as required by Congress.
3. Material Superseded: None.
4. Filing Instructions: File as directed below.

REMOVE:

None

INSERT:

8351

(Total: 63 Sheets)

/s/ Cy Jamison

Director

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.01 Purpose. This Manual Section provides Bureau of Land Management (BLM) policy and program direction for the identification, evaluation, and management of wild, scenic, and/or recreational (WSR) river segments. Program guidance is also provided to aid in fulfilling requirements of the Wild and Scenic Rivers Act (WSRA), implement BLM Manual Section 1623.41A2d, and the 1982 U.S. Department of the Interior - U.S. Department of Agriculture (USDI-USDA) Final Revised Guidelines for Eligibility, Classification, and Management of River Areas (47 FR 39454). It provides the line manager and program staff professional with specific policies related to WSR eligibility determination process, integration of WSR river studies within the resource management planning (RMP) process, WSR river protection and management, preparation of environmental analyses, legislative reporting, and other matters.

.02 Objectives. The objectives of this guidance are to:

A. Describe the process and procedure for identifying and evaluating potential additions to the National Wild and Scenic Rivers System (NWSRS) on BLM administered lands and related waters.

B. Identify procedures for public involvement, review of recommendations, and protective management of eligible river segments.

C. Ensure coordination, consultation, and consistency with other Federal agencies in the conduct of WSR river studies.

D. Provide more explicit direction in fulfilling requirements of the WSRA, interagency program direction in the 1982 USDI-USDA Guidelines, and BLM Supplemental Program Guidance as outlined in Manual Section 1623.41A2d.

E. Provide for the protection of river-related outstandingly remarkable values whether under evaluation as potential WSR rivers or as designated components of the NWSRS.

.03 Authority.

A. National Wild and Scenic Rivers Act of 1968, as amended, P.L. 90-542 (16 U.S.C. 1271-87, et seq.).

B. Federal Land Policy and Management Act of 1976, as amended, P.L. 94-579 (43 U.S.C. 1701 et seq.).

C. National Environmental Policy Act of 1969, P.L. 91-190 (42 U.S.C. 4321, et seq.).

D. Alaska National Interest Lands Conservation Act of 1980, P.L. 96-487 (16 U.S.C. 3101, et seq.).

E. Land and Water Conservation Fund Act of 1965, as amended, P.L. 88-578 (16 U.S.C. 4601 (1-6) et seq.).

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- F. Wilderness Act of 1964, P.L. 88-577 (16 U.S.C. 1131).
- G. Oregon and California Grant Lands Act of 1937, P.L. 75-876 (43 U.S.C. 1181a, et seq.).
- H. Title 36 CFR, Subpart 297 - Wild and Scenic Rivers.
- I. Title 43 CFR, Subpart 8351 - Designated National Areas.
- J. 1982 U.S. Department of the Interior - U.S. Department of Agriculture Final Revised Guidelines for Eligibility, Classification, and Management of River Areas (47 FR 39454).

.04 Responsibility.

A. The Director, through the Deputy Director, Director, National Landscape Conservation System, and the Manager, Wilderness, Rivers and Trails, shall:

1. Provide policy and program direction and leadership for the management of designated WSRs and the identification and evaluation of rivers in determining their potential eligibility, classification, and/or suitability as required by Sections 5(a) and 5(d)(1) of the WSR.
2. Provide for protecting outstandingly remarkable values (ORVs) from degradation by establishing appropriate management guidelines and/or standards.
3. Maintain liaison with other government agencies, WSR river users, interested publics, and other organizations at the national level concerned with WSR river studies on public lands and related waters.
4. Coordinate with BLM State Directors, Field Offices, other agencies, or entities in submitting WSR river recommendations to the Secretary of the Interior.
5. Transmit detailed boundary descriptions, maps, and river management plans for WSR rivers, only as required by statute, to the President of the Senate and to the Speaker of the House of Representatives.
6. Prepare relevant regulations or policies for the management, development, and operation of activities for WSR rivers or for adjacent lands and related waters. Approve any waivers or requests to deviate from established policy or procedures.
7. Ensure adherence to proper delegations of authority related to decisions, actions and policies concerning potential or designated WSR rivers.

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B. The Director, through the Deputy Director, Assistant Director, Renewable Resources and Planning, and the Manager, Planning, Assessment, and Community Support, shall:

1. Assist in the preparation of recommendations for submission of evaluation results or proposed management plans to the Secretary of the Interior.
2. Coordinate with the Division of Recreation and Wilderness Resources in developing procedures and supplemental program guidance for accomplishing WSR river studies as a part of the RMP process.
3. Identify, address, and reconcile interrelationships, policy issues, and conflicts between WSR river studies and other related programs.
4. Maintain liaison with other government agencies, interested publics, and other organizations concerned with WSR river studies on public lands and related waters.
5. Ensure compliance with the National Environmental Policy Act (NEPA) and Council on Environmental Quality (CEQ) regulations in environmental assessments (EA) and environmental impact statements (EIS) as required (See BLM Manual Section 1790). Serve as liaison with the Department's Office of Environmental Policy and Compliance (OEPC).

C. State Directors shall:

1. Implement policy and provide statewide program coordination and guidance for identifying, evaluating, reporting, and managing WSR rivers or potential WSR rivers involving BLM-administered lands and related waters.
2. Where applicable provide technical assistance and consultation for studies outside BLM-administered jurisdiction on State and/or private lands, e.g., State initiated Section 2(a)(ii) studies or where private lands are interspersed along a river corridor where BLM has substantial management control and/or jurisdiction.
3. Provide program development, technical management assistance, and funding support to field offices as required to ensure WSR river studies and management are adequately accomplished.
4. Ensure compliance with the NEPA and CEQ regulations in EAs and EISs as required.
5. Maintain liaison with other affected government agencies, States, tribes, users, and other organizations concerned with comprehensive river-related plans, studies and/or management.

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6. Where applicable or necessary, prepare memorandums of understanding and/or interagency agreements in order to facilitate WSR river resource assessments, studies, or management activities.

7. Ensure proper case recordation, e.g., files, maps, boundary descriptions, Federal Register notices, reports, cadastral surveys, and/or management plans concerning any WSR river study and/or implementing action.

D. District and Field Office Managers shall:

1. Evaluate river segments within the resource management planning process to determine eligibility, tentative classification, protection requirements, and suitability under the WSRA.

2. Determine if public land management activities or proposed projects will have a direct, indirect, or adverse effect upon any eligible or designated WSR river. Develop, implement, and monitor actions related to any designated WSR rivers and segments according to established management policies. Manage any eligible or designated WSR river so as to protect and enhance (if possible) and not degrade any identified outstandingly remarkable river values.

3. Maintain liaison with other affected government agencies, States, tribes, users, and other organizations concerned with comprehensive river-related plans, studies and/or management.

4. Provide detailed boundary descriptions where required by statute or as appropriate. Provide WSR river studies, reports, and management plans for transmittal to the District and/or Field Office Manager, State Director, Director, or to Congress where applicable. Ensure proper case recordation, e.g., files, maps, boundary descriptions, Federal Register notices, cadastral surveys, reports, and management plans concerning any WSR river study and/or implementing action. Ensure each designated WSR river segment has an official administrative boundary and legal description with a corresponding map.

5. Ensure management requirements, including any proposed acquisition of lands or interest in lands within the boundary of any designated WSR river is included in the appropriate budgetary and planning documents in order to effectively carry out the intent of Congress and BLM's stewardship of any designated rivers.

.05 References.

A. Parts 235 and 245, Departmental Manual, Chapter 1.1, Part C - General Program Delegation.

B. Part 516, Departmental Manual, National Environmental Policy Act Requirements.

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C. Part 710, Departmental Manual, Chapter 710, Part 1 - National Rivers and Trails Systems.

D. BLM Manual Section 1270 - Records Administration.

E. BLM Manual Section 1280 - Information Resources Management.

F. BLM Manual Sections 1601 - 1631 - Bureau Planning System.

G. BLM Manual Section 8320 - Planning for Recreation Resources.

H. BLM Manual Section 8322 - Recreation Area Management Plans.

I. BLM Manual Section 8323 - Recreation Project Planning.

J. BLM Manual Section 8372 - Special Recreation Permits.

K. BLM Handbook H-8372-1 - Special Recreation Permits For Commercial Use.

L. BLM Manual Section 6300 - Management of Designated Wilderness Areas.

M. BLM Manual Section 9160 - Mapping Sciences.

N. The Limits of Acceptable Change (LAC) System for Wilderness Planning, USDA Forest Service, General Technical Report INT-176, 1985.

O. Interagency Wild and Scenic Rivers Coordination Council Reference Guide and Technical Reports (via <http://www.nps.gov/publications>)

.06 Policy. The BLM is committed to carrying out the provisions of the WSRRA and will identify and evaluate all rivers located on BLM-administered lands to determine if they are appropriate for addition to the NWSRS. As appropriate, BLM will make recommendations for legislative actions to accomplish such additions. BLM will take actions as necessary to ensure proper management of river corridors. Specifically, it will be the policy of the BLM to treat rivers as set forth below.

A. Identification of Potential WSR Rivers. The BLM shall identify all rivers (as defined by the WSRRA) on BLM-administered lands which may have potential for addition to the NWSRS. The BLM shall use all available sources of information to identify such rivers. Rivers appearing on lists compiled by other public agencies or organizations with demonstrated expertise in identifying potential WSR rivers shall be considered. Whenever there is any question about whether or not a particular river segment is a potential WSR river, it should be selected for evaluation.

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B. Evaluation. The BLM evaluates identified river segments for their eligibility and suitability for WSR river designation through its RMP process. Activity planning shall not be used to accomplish such evaluations. In cases where a particular river segment is predominantly non-federal in ownership and contains interspersed BLM-administered lands, BLM shall evaluate only its segment as to eligibility and defer to either the State or private landowners' discretion as to their determination of eligibility.

C. Documentation. All data and information upon which WSR river determinations (eligibility and suitability) are based shall be included in the planning records and summarized in documents circulated for public review in sufficient detail to permit full disclosure and clear and widespread understanding.

D. Protective Management. BLM shall accord protective management to all eligible river segments as necessary to ensure that the existing qualities upon which their eligibility is based are not degraded (**see Section .32C below**).

E. Coordination and Consultation. BLM shall coordinate and consult with other Federal, State, tribal, citizen, and other groups and organizations. This interaction and public involvement is considered to be particularly important as rivers, due to their linear nature, often cross jurisdictional boundaries. Efforts will be taken to involve any affected or concerned interest at all stages of the planning process.

.07 File and Records Maintenance. Information about designated WSR rivers will be collected and maintained according to BLM Manual Section's 1270 - Records Administration, 1280 - Information Resources Management, and 9160 - Mapping Sciences. Data and records administration policies, and records management procedures will be used to maintain WSR river case files, photographs, maps, detailed boundary descriptions, Federal Register notices, reports, river management plans, and automated records (including Geographic Information System themes). See Section .54 for the various statutory and administrative responsibilities related to data and records administration for WSR rivers.

.08 Program Relationships. Most of the BLM's resource programs are highly interdependent and require coordinated resource management and efficient use of personnel. This often requires managers and program staffs to initiate and coordinate with many resource programs, supporting staffs, and other agencies involved with river planning and management responsibilities. Familiarity with these relationships and with other resource programs enables personnel assigned WSR river program responsibilities to more effectively understand the ramifications of resource management objectives and protection of river values. Riverine resources by their very nature require interdisciplinary and multiresource analysis in order to effectively integrate and coordinate with other resource programs and proposed activity plans. Management planning efforts must ensure that river corridor management objectives and practices as prescribed in RMP's or plan amendments are not adversely affected by other program actions. Subsequent management planning efforts for WSR rivers within overlapping existing designations must be consistent with the expressed administrative purpose(s) or controlling statutory intent(s) of the existing designation, e.g., wilderness area. Management plans for designated rivers are prepared as necessary to implement the decisions in RMP's or plan amendments. Comprehensive river management plans, listed below, may be required, except where the RMP, plan amendment, or other management direction provides sufficient protection.

A. Interdisciplinary Plans. An interdisciplinary, multiresource management plan for an entire river corridor, area, or watershed is preferable as opposed to separate activity plans for individual segments within the same river corridor. Overlapping designations and or specific management plans need to be addressed in a holistic fashion. Multiresource management plans for WSR river and/or riparian issues, on a multidistrict, interstate, or interagency basis is encouraged. (See BLM Manual Sections 1619 and 8322.)

B. Comprehensive River Management (Activity) Plans. Comprehensive river management plans (CRMPs) must be prepared for all designated WSRs. A sample outline is provided in **Illustration 9** which would achieve management objectives of any associated RMPs and/or plan amendments. BLM Manual Section 8322 should be used to prepare the recreation portion of the CRMP. CRMPs generally precede individual project plans and provide specific parameters to guide project plan development.

C. Project Plans. River project plans, as needed or required, document user requirements, visitor profiles, and proposed design parameters to ensure that final project designs meet specified WSR river classification and management objectives.

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.1 The Act and Inter-Departmental Guidelines.

.11 The Wild and Scenic Rivers Act. The basic purpose and authority for identification, evaluation, and management of potential WSR river segments is contained in the WSR of October 2, 1968, (P.L. 90-542, as amended). Additions to the NWSRS can be accomplished by Act of Congress or, under certain conditions, by the Secretary of the Interior.

A. Section 2(a)(ii) of the Act. This Section provides a means by which State or local governments can initiate actions to designate a river as a component of the NWSRS. The Secretary of the Interior can designate a component pursuant to application and petition from the Governor(s) of the State(s) through which a river flows once it is designated for protection pursuant to an act of the State legislature and a supporting management plan is in place. The National Park Service (NPS) is the only Interior agency delegated to process the applications and make recommendations to the Secretary.

B. Section 3(a) of the Act. This Section provides a direct legislative authorization by an Act of Congress. These designated rivers may be managed by agencies of the Federal Government including BLM, Forest Service, Fish and Wildlife Service, and NPS, depending on which agency(ies) manages the adjacent lands.

C. Section 5(a) of the Act. This section provides direction for studies mandated by Congressional action on identified river segments. The Secretary of the Interior has delegated authority to the BLM for any Congressionally authorized Section 5(a) studies which pertain to those segments administered by the BLM. The BLM will conduct studies and subsequently report its findings to the Secretary. Where joint agency jurisdictions are involved, coordinated study efforts will be conducted. Generally, in such instances, cooperating agencies coordinate their efforts prior to making recommendations or submitting reports (see Section .33B below).

D. Section 5(d)(1) of the Act. This section states:

"In all planning for the use and development of water and related land resources, consideration shall be given by all Federal agencies involved to potential national wild, scenic and recreational river areas, and all river basin and project plan reports submitted to the Congress shall consider and discuss any such potentials. The Secretary of the Interior and the Secretary of Agriculture shall make specific studies and investigations to determine which additional wild, scenic and recreational river areas within the United States shall be evaluated in planning reports by all Federal agencies as potential alternative uses of the water and related land resources involved."

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.12 The Final Revised USDI-USDA Guidelines for Eligibility, Classification, and Management of River Areas. On September 7, 1982, the Departments of Agriculture and the Interior outlined in the Federal Register (47 FR 39454) eligibility and classification criteria, evaluation process and content, and reporting requirements for potential WSR rivers and management guidelines for designated WSR rivers. These guidelines were formulated to provide a uniform evaluation and consistent management approach in the identification, evaluation, reporting, and management of WSR river segments. Until September 1988, this was the only guidance available to BLM.

.2 Identification. The WSRA defines a river as "a flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes." All rivers which may have potential for wild and scenic river designation must be identified and evaluated. Care should be taken to avoid overlooking any river segment located on BLM-administered lands. Ordinarily, if a river or river segment is identified in an official publication or list of another agency or river support organization, a case can be made to consider it. Numerous informational sources and inventory lists are available which can help to identify those rivers which should be considered. These sources are listed below. Identification may also occur at several stages of resource management planning: pre-planning, public scoping of issues, analysis of the management situation, and in public review of the draft RMP or plan amendment. It is important to note that listing on these sources is not necessarily a confirmation of a river segment's eligibility, and absence from any list does not indicate noneligibility. These sources are made available to State and Federal agencies so as not to overlook any potentially eligible river segment in the course of their resource management planning.

21. The 1970 USDA/USDI List. On October 28, 1970, the Secretaries of Agriculture and the Interior identified and published in the Federal Register (35 FR 16693) a list of 47 river segments for WSR river evaluation and consideration. Pursuant to Section 5(a) of the Act, many of these rivers have been studied and some of these designated by Congress as WSR rivers.

22. The Nationwide Rivers Inventory (NRI) List. From 1976 to 1980, the Bureau of Outdoor Recreation and the Heritage Conservation and Recreation Service compiled the NRI which was subsequently updated, published, and first distributed by the National Park Service (NPS) in January 1982. This document combined and superseded all regional NPS inventory lists previously published. The NRI, although never completed, provides a data base for potential additions to the NWSRS. The NRI listed 1,524 segments comprising some 61,700 miles, but was not an all-inclusive document. Rivers were left off for budgetary and agency workload reasons. The NRI does not include Alaska or Montana, and is incomplete for parts of the Pacific Northwest Region. The NRI is maintained and updated by the NPS. Listing on the NRI, or other source lists listed below, is not necessarily confirmation of eligibility, and absence from these lists does not indicate noneligibility.

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23. Other Sources.

- A. Outstanding Rivers List compiled by American Rivers, Inc.
- B. Published guidebooks, regional guides, and inventories, i.e., American Whitewater Affiliation List.
- C. River segments identified in Statewide Comprehensive Outdoor Recreation Plans.
- D. River segments officially identified by State or local government agencies as being in the public interest for river protection.
- E. River segments identified in public scoping during the RMP process.

.24 River Segment Identification. Rivers identified for review may be divided into segments for evaluation purposes. For example, changes in river character such as the presence of dams and reservoirs, significant changes in types or amounts of development, significant changes in physiographic character, tributaries, or features, and/or significant changes in land status should be considered in identifying river segments for evaluation.

A. There are no specific requirements for segment length. Congress has designated a segment as short as .4 miles. A river segment is of sufficient length if a specific outstandingly remarkable value(s) can be protected (a factor in the suitability determination, not eligibility determination) should the segment be designated.

.25 Boundary Identification. A river study area extends the length of the identified river segment and includes the river area, its immediate environment, and lands within 1/4 mile (½ mile to 4 miles for certain rivers in Alaska, per Section 15 of the WSR) in width from the ordinary high water mark on both sides of the river.

A. The planning team should outline a preliminary or proposed boundary, usually a quarter mile on either side of the river. This tentative conceptual boundary drawn at the time of evaluation, with full public participation, will help avoid controversy should the river be designated. The delineation of a river corridor, area, or boundary should be based on comprehensive and objective resource information. Where adjacent Federal or State agencies are involved, close coordination is needed to establish a uniform approach to any proposed boundaries for contiguous river segments. Specific factors, e.g., physiographic features, land status, conflicting uses, overlapping designations, county zoning provisions necessary to protect outstandingly remarkable values or resources, or other factors may influence final boundary identification.

B. The preliminary boundary (and final boundary, once designated) is generally one quarter mile (1,320 feet) from the ordinary high water mark (as defined by Cadastral Survey and/or Army Corps of Engineers) on both sides of the river. This boundary, by Section 3(b) of the WSR, may vary on either side of the river and be narrower or wider (to protect ORVs) as long as the total corridor width averages no more than 320 acres (half of a mile or 2,640 feet wide) per river mile.

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C. Corridor boundaries for designated WSR rivers are delineated by legally identifiable lines (survey or property lines) or some form of on-the-ground physical feature (canyon rims, roads, etc.) which provide the basis for protecting the river's outstandingly remarkable values. To the extent practical, boundaries will be identified, marked, and posted to protect river values in order to prevent or eliminate unauthorized uses. In certain site-specific cases, including where acquisition of lands may be involved, a survey may be needed to monument the outer limits of the designated WSR river corridor.

.3 Evaluation. Evaluation of identified rivers shall be accomplished either through the RMP process or as outlined by specific legislation. In accordance with provisions of the WSRA, evaluation of identified rivers involves the following sequential determinations: eligibility; tentative classification; and suitability for inclusion in the NWSRS. This is consistent with the provision of Manual Section 1623.41A2d.

.31 Eligibility. Each identified river segment must be evaluated to determine whether or not it is eligible for inclusion as a component of the NWSRS. Determinations of eligibility must be documented by the authorized officer (Field Office or District Manager) (see **Illustration 3**) prior to the formulation of alternatives but no later than the release of the draft RMP, or plan amendment (see Section .32C regarding protective management).

A. Basis for Determination. To be eligible, a river segment must be "free-flowing" and must possess at least one river-related value considered to be "outstandingly remarkable." These factors are summarized in **Illustration 1**. No other factors are considered in determining the eligibility of a river segment. All other relevant factors are considered in determining suitability.

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B. Free-flowing. Free-flowing is defined by Section 16(b) of the WSR as "existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway." The existence of small dams, diversion works, or other minor structures at the time the river segment is being considered shall not automatically disqualify it for consideration as a potential addition to the NWSRS. Congress did not intend to require rivers to be "naturally flowing," i.e., flowing without any upstream manipulation except by nature. The presence of impoundments above and/or below the segment (including those that may regulate the flow regime through the segment), existing minor dams, and diversion structures within the study reach will not by themselves render a river ineligible. There are many segments in the NWSRS which are downstream from major dams or even between dams.

1. A river need not be "boatable or floatable" in order to be eligible. For purposes of eligibility determination, the volume of flow is sufficient if it is enough to maintain the outstandingly remarkable values identified within the segment. Rivers with intermittent flows exist within the NWSRS, and rivers representative of desert ecosystems having outstanding ecological or other values should be considered.

C. Outstandingly Remarkable Values. Section 1(b) of the WSR requires that, in order for a river segment to be eligible for inclusion as a component of the NWSRS, it must possess one or more of the following outstandingly remarkable values: scenic, recreational, geologic, fish and wildlife, historic, cultural, or other similar values. The following are standards to guide how these values are to be interpreted and applied on BLM-administered lands. State Directors may (normally as an element of guidance for resource management planning) prescribe supplemental standards or criteria for determining outstandingly remarkable values as they apply to particular river segments.

1. Scenic. The landscape elements of landform, vegetation, water, color, and related factors must result in notable or exemplary visual features and/or attractions within the geographic region. The BLM Visual Resource Inventory Handbook, H-8410-1, may be used in assessing visual quality and in evaluating the extent of development upon scenic values. The rating area must be scenic quality "A" as defined in the BLM Visual Resource Inventory Handbook, H-8410-1. When analyzing scenic values, additional factors such as seasonal variations in vegetation, scale of cultural modifications, and length of time negative intrusions are viewed may be considered. Scenery and visual attractions may be highly diverse over the majority of the river segment length and not common to other rivers in the geographic region.

2. Recreational. Recreational opportunities are or have the potential to be unusual enough to attract visitors to the geographic region. Visitors are willing to travel long distances to use the river resources for recreational purposes. Recreation-related opportunities could include, but not be limited to, sightseeing, wildlife observation, camping, photography, hiking, fishing, hunting and boating. Interpretive opportunities may be exceptional and attract or have the potential to attract visitors from outside the geographic area. The river may provide or have the potential to provide settings for national or regional commercial usage or competitive events. In addition, the river may be eligible if it is determined to provide a critically important regional recreation opportunity, or be a significant component of a regional recreation opportunity spectrum setting.

3. Geologic. The river or the area within the river corridor contains example(s) of a geologic feature, process, or phenomenon that is rare, unusual, or unique to the geographic region. The feature(s) may be in an unusually active stage of development, represent a textbook example and/or represent a unique or rare combination of geologic features (erosional, volcanic, glacial, and other geologic structures).

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4. Fish. Fish values may be judged on the relative merits of either fish populations or habitat, or a combination of these river-related conditions.

a. Populations. The river is nationally or regionally one of the top producers of resident, indigenous, and/or anadromous fish species. Of particular significance may be the presence of wild or unique stocks, or populations of State, federally listed, or candidate threatened and endangered species.

b. Habitat. The river provides exceptionally high quality habitat for fish species indigenous to the region. Of particular significance is habitat for State, federally listed, or candidate threatened and endangered species.

5. Wildlife. Wildlife values may be judged on the relative merits of either wildlife populations or habitat, or a combination of these conditions.

a. Populations. The river or area within the river corridor contains nationally or regionally important populations of resident or indigenous wildlife species dependent on the river environment. Of particular significance may be species considered to be unique or populations of State, federally listed, or candidate threatened and endangered species.

b. Habitat. The river or area within the river corridor provides exceptionally high quality habitat for wildlife of national or regional significance, or may provide unique habitat or a critical link in habitat conditions for State, federally listed, or candidate threatened and endangered species. Contiguous habitat conditions are such that the biological needs of the species are met.

6. Cultural. The river or area within the river corridor contains a site(s) where there is evidence of occupation or use by Native Americans. Sites must be rare, have unusual characteristics, or exceptional human-interest value(s). Sites may have national or regional importance for interpreting prehistory; may be rare; may represent an area where culture or cultural period was first identified and described; may have been used concurrently by two or more cultural groups; or may have been used by cultural groups for rare, sacred, tribal, or spiritual purposes.

7. Historic. The river or area within the corridor contains a site(s) or feature(s) associated with a significant event, person, or cultural activity of the past that was rare, or unusual in the region. A historic site(s), feature(s), and/or Native American site(s) in most cases is 50 years old or older. Sites or features listed in, or eligible for inclusion in, the National Register of Historic Places, may be of particular significance.

8. Other Similar Values. While no specific evaluation guidelines have been developed for the "other similar values" category, additional values deemed relevant to the eligibility of the river segment should be considered in a manner consistent with the foregoing guidance -- including, but not limited to, hydrologic, ecologic/biologic diversity, paleontologic, botanic, and scientific study opportunities.

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D. Recirculation. Care shall be taken to avoid eliminating a river segment from evaluation due to an error in the application of these criteria. If it is subsequently determined, following publication of the draft RMP/EIS, or plan amendment, that a river segment previously deemed to be ineligible is in fact eligible for evaluation, the State Director may recirculate the DEIS as provided in accordance with BLM Handbook H-1790-1, Section V.B.4.a. (Section .33 below).

.32 Classification and Protective Management. All eligible river segments shall be tentatively classified and management measures instituted as necessary to ensure appropriate protection of the values supporting the eligibility and classification determinations. (NOTE: Actual classification is a Congressional legislative determination; BLM's classification is a planning determination and is only tentative prior to Congressional action).

A. Classification Categories. Section 2(b) of the WSRA specifies three classification categories (wild, scenic, and/or recreational) for eligible rivers. Classification is based on the type and degree of human developments associated with the river and adjacent lands as they exist at the time of the evaluation. The principal attributes and management objectives of each category are summarized in **Illustration 2**.

1. Wild River Areas. Wild river areas are those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America. Wild means undeveloped; roads, dams, or diversion works are generally absent from a quarter mile corridor on both sides of the river.

2. Scenic River Areas. Scenic river areas are those rivers or sections of rivers that are generally free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads. Scenic does not necessarily mean the river corridor has to have scenery as an outstandingly remarkable value, however it means the river segment may contain more development (except for major dams or diversion works) than a wild segment and less development than a recreational segment. For example, roads may cross the river in places but generally do not run parallel to it. In certain cases, however, if a parallel road is unpaved and well screened from the river by vegetation, it could qualify for scenic river area classification.

3. Recreational River Areas. Recreational river areas are those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past. Parallel roads or railroads, existence of small dams or diversions can be allowed in this classification. A recreational river area classification does not imply that the river will be managed or prioritized for recreational use or development.

B. Classification Process. Classification establishes a guideline for management until either a suitability determination or designation decision is reached. It is a determination based on existing characteristics of a river area resulting from human-caused change or levels of development. Classification does not affect land use decisions related to private property. The BLM has no authority to plan for private land and can only address public land it administers.

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1. Use of existing data, including maps, aerial photographs, field checks, other reports, etc., as well as the gathering of new data, i.e., site visits or overflights as appropriate, should be made to evaluate the amount of development along the river. Obvious or significant changes in land status or ownership, the presence of dams and reservoirs, types and amounts of development shall be used to delineate logical lengths for each tentative classified segment. Involving the local public is also helpful in this process.

2. Different segments of the same river can contain differing tentative classifications along its length, but they cannot overlap, e.g., a 60-mile segment may be tentatively classified wild for 30 miles, scenic for 20 miles, and 10 miles recreational.

3. Other national administrative and/or congressional designations, e.g., wilderness, national conservation areas, national monuments or historic and scenic trails, reserves, etc. may overlap designated wild and scenic rivers or river segments under review. It should not be assumed that since a particular river segment lies within a particular administratively or congressionally designated unit/area that it meets the same classification criteria, e.g., a river segment located in designated wilderness should automatically receive a wild river classification, etc.

C. Protective Management. When a river segment is determined eligible and given a tentative classification (wild, scenic, and/or recreational), its identified outstandingly remarkable values (ORVs) must be afforded adequate protection, subject to valid existing rights, and until the eligibility determination is superseded, management activities and authorized uses shall not be allowed to adversely affect either eligibility or the tentative classification, i.e., actions that would change the tentative classification from a wild river area to a scenic river area or a scenic river area to a recreational river area. Public notification of protective management shall occur no later than publication and release of the draft RMP, or plan amendment. However, protective management shall be initiated by the authorized officer (Field Office/District Manager) as soon as eligibility is determined (see Illustration 3). Specific management prescriptions for eligible river segments should provide protection in the following ways:

1. Free-flowing Values. The free-flowing characteristics of eligible river segments cannot be modified to allow stream impoundments, diversions, channelization, and/or rip-rapping to the extent the BLM is authorized under law.

2. River-Related Values. Each segment shall be managed to protect identified outstandingly remarkable values (subject to valid existing rights) and, to the extent practicable such values shall be enhanced.

3. Classification Impacts. Management and development of the eligible river and its corridor cannot be modified, subject to valid existing rights (see Section .52 below), to the degree that its eligibility or tentative classification would be affected (i.e., its tentative river area classification cannot be changed from wild to scenic, or from scenic to recreational). Should a nonsuitable determination be made in the RMP process, then the river shall be managed in accordance with management objectives as outlined in the planning document.

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.33 Determination of Suitability. Each eligible river segment is further evaluated in the RMP process to assess whether or not it would be suitable for inclusion in the NWSRS. The planning determination of suitability provides the basis for any decision to recommend legislation.

A. RMP Preference. In most cases, BLM will assess river suitability in the RMP process and document the tentative classification of the appropriate segment(s)(wild, scenic, and/or recreational). In assessing eligible river segments under BLM administrative jurisdiction, the RMP must prescribe measures to ensure/afford protection for the segment as well as any adjacent lands pending a final suitability determination and, if applicable, subsequent action by the Congress. Where a suitability determination cannot be made in the RMP, a separate EIS may be required to make that determination (see Section .43B). The projected schedule for completing the suitability evaluation, and other relevant information shall also be set forth in the RMP. Unless otherwise prescribed by statute, e.g., Section 5(a) of the WSR, all eligible river segments shall be evaluated for suitability or nonsuitability using the BLM RMP process. Factors to consider (see Section 4(a) and 5(c) of the WSR) in the suitability determination include, but are not limited to:

1. Characteristics which do or do not make the area a worthy addition to the NWSRS. These characteristics are described in the WSR (see factors 2 through 7 below) and may include additional suitability factors (8 through 13).

2. Status of landownership, minerals (surface and subsurface), use in the area, including the amount of private land involved and associated or incompatible uses. Jurisdictional consideration must be taken into account to the extent that management would be affected.

3. Reasonably foreseeable potential uses of the land and related water which would be enhanced, foreclosed, or curtailed if the area were included in the NWSRS, and the values which could be foreclosed or diminished if the area is not protected as part of the NWSRS.

4. The federal or State agency that will administer the river should it be added to the NWSRS.

5. Federal, state, local, tribal, or other interests in designation or nondesignation of the river, including the extent to which the agency proposes that administration of the river, including the costs thereof, be shared by state, local, or other agencies and individuals.

6. The estimated cost to the United States of acquiring necessary lands, interests in lands, and of administering the area should it be added to the NWSRS. Section 6 of the WSR outlines policies and limitations of acquiring lands or interests in land by donation, exchange, consent of owners, easement, transfer, assignment of rights, or condemnation within and outside established river boundaries.

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7. A determination of the degree to which the state or its political subdivision(s) might participate in the preservation and administration of the river should it be proposed for inclusion in the NWSRS.

Additional suitability factors may be considered by the IDT. The following is not all inclusive; other factors may be developed. Possible considerations include:

8. The federal agency's ability or other mechanisms (existing or potential) to protect and manage the identified river related values other than WSR designation. The state/local government's ability to protect and manage the ORVs on nonfederal lands. Such mechanisms through the authority of state and local governments, may include, for example, statewide programs related to population growth, vegetation management, water quantity or quality, or protection of river-related values such as open space and historic areas.

9. An evaluation of the adequacy of local zoning and other land use controls in protecting the river's ORVs by preventing incompatible development. This evaluation may result in a formal finding the local zoning fulfills Section 6(c)'s requirements, which in turn preempts the federal government's ability to acquire land through eminent domain if the river is designated.

10. Support or opposition to designation. Assessment of this factor will define the political context. The interest in designation or nondesignation by federal, state, local and tribal governments and national and local publics should be considered, as well as the state's political delegation.

11. Historical or existing rights which could be adversely affected. In determining suitability, consideration of any valid existing rights must be afforded under applicable laws (including the WSR), regulations, and/or policies.

12. The consistency of designation with other agency plans, programs or policies and in meeting regional objectives. Designation may help or impede the goals of other federal, state, local or tribal agencies, e.g., designation of a river may contribute to state or regional protection for fish and wildlife resources. Similarly, adding a river which includes a limited recreation activity or setting to the NWSRS may help meet statewide recreation goals. Designation might, however, limit irrigation and/or flood control measures in a manner consistent with regional socioeconomic goals.

13. The contribution to a river system, watershed, or basin integrity. This factor reflects the benefits of a "systems" approach, i.e., expanding the designated portion of a WSR in the national system or developing a legislative proposal for an entire river system (headwaters to mouth) or watershed. Numerous benefits are likely to result from managing an entire river or watershed, including the ability to design a holistic protection strategy in partnership with other agencies and the public.

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B. Coordinated Studies and Other Planning Efforts. Because rivers are often multijurisdictional (interstate, interdistrict, and/or interagency) in nature, potential WSR rivers require close coordination and consultation with all administering agencies and publics affected by river suitability studies.

1. All agencies involved are responsible for evaluating the river area(s) and/or segment(s) under their respective jurisdiction. Even in those instances where a river segment is located only on a small portion of BLM-administered land, coordinating efforts with other Federal agencies or States, to the extent practical, shall be followed. The BLM shall contact the responsible Federal, State, or local government agency to determine if or when that agency plans to evaluate the river as a part of its land use planning process. BLM shall invite and encourage other agencies to participate and/or provide technical assistance in a joint study concurrently with the BLM's RMP process.

2. As much as practicable, BLM shall coordinate and conduct concurrent evaluations along with subsequent recommendations of other agencies. Where such efforts cannot be synchronized, BLM shall evaluate and document its applicable river areas within the RMP process in order not to delay planning recommendations and subsequent decisions on the applicable plan.

3. RMP's and plan amendments are usually confined to addressing BLM river segments. However, there may be cases where a river segment on its own merits may not be eligible or suitable unless it can be evaluated in its entirety (along an entire river corridor, reach, or multijurisdictional context). The RMP should recognize these cases. Coordinated studies may also necessitate interagency cooperative agreements authorized by Section 4 of the WSRA.

4. Management objectives for resolving instream flow issues are developed through the RMP process, as appropriate. In analyzing instream flow concerns and developing management objectives, attention shall be given to those outstandingly remarkable values which are highly dependent on flows, e.g., boating, habitat, and/or visual.

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C. Consideration of Suitability in RMP/EIS Alternatives. During the formulation of RMP/EIS alternatives, management of all public lands, including river areas and corridors, is addressed. At least one alternative shall provide for designation for all eligible river segments (under assessment in the RMP/EIS) in accordance with their tentative classifications. Another alternative shall provide for no designation. The no-action alternative, shall provide for continuation of protective management of eligible segments. Additional alternatives may be formulated for any combination of designations and/or alternative classifications and/or administrative designations. Whenever an eligible river segment has been tentatively classified, e.g., as wild, other appropriate alternatives may provide for designation at another classification level (scenic or recreational). There is not another classification alternative for rivers tentatively classified as recreational. As long as a river segment is under study, it must be afforded protection at the tentative classification level it was given when determined eligible, even if a another classification is considered as an alternative in the RMP.

.34 Documentation. Planning records and documents must carefully describe all analyses and determinations made pursuant to this Manual. All such determinations must be explained in public documents. A narrative and rationale must be a part of the planning record and included as a part of the RMP/EIS. It is necessary to establish and maintain a record of assessment and/or determination/finding for each river segment identified and examined.

A. Eligibility. A suggested format (see **Illustration 3**) or other comparable method of similar design should be used to document and explain eligibility determinations.

B. Suitability. Rationale supporting suitability determinations for eligible river segments studied in the RMP/EIS must be included in the record of decision for the RMP.

.35 Administrative Review. The WSR river determinations (eligibility and/or suitability) addressed in the RMP process are subject to protest under the administrative review provisions of 43 CFR 1610.5-2. Protest decisions by the BLM Director are the final decision of the Department of the Interior.

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.4 Implementation and Reporting. BLM prepares the WSR river study report/Record of Decision (ROD) for rivers evaluated pursuant to Section 5 of the WSRA. For any rivers determined suitable and subsequently recommended by the Secretary of the Interior for inclusion in the NWSRS, a WSR river study report/ROD shall be prepared for transmittal to the Congress. This WSR river study report and accompanying ROD is used to transmit BLM's conclusions regarding the suitability determination of such rivers and recommendations for designation as components of the NWSRS to Congress. **Illustration 4** outlines the procedures for processing proposed legislation to designate additions to the NWSRS.

.41 Recommendations for Designation.

A. Options. Once a determination of suitability has been made through the RMP process, State Directors have at least three options in dealing with WSR legislative recommendations, which include: (1) encourage the Governor of their respective State to petition the Secretary of the Interior, after enactment of State legislation to protect the applicable river(s), for designation under Section 2(a)(ii) of the WSRA; (2) encourage members of the respective State Congressional delegation to introduce legislation for designation by amending Section 3(a) of the WSRA; (3) forward recommendations for designation through the Director and the Secretary as outlined in this Manual Section; and (4) defer any such WSR recommendation until such time as public support is favorable to designation. Whenever a State Director elects to forward a WSR river recommendation (option 3 above), it shall be supported by the environmental analysis and planning record for the RMP. The RMP/EIS record of decision (ROD) may be used (if adequate) for any legislative proposals based on RMP amendment. A separate ROD is required for congressionally authorized river studies mandated by Section 5(a) of the WSRA. ROD's shall be reviewed for sufficiency to support any legislative proposal and/or subsequent recommendation.

B. Timing of Implementation. The RMP contains a set of actions intended to be implemented over a considerable period of time. The affected Field Office Manager and State Director shall be responsible for submitting any legislative proposal and/or subsequent recommendation to the Director and the Secretary.

.42 Record of Decision. The RMP ROD shall document river areas, or portions of river areas/segments, determined suitable or unsuitable for WSR river designation. **Illustration 6** provides an outline for a WSR River Study Report and ROD. This report is used to transmit legislative proposals, containing designation recommendations, from the Secretary to the President and the Congress for rivers determined suitable for such designation. These recommendations are subject to change up until the point when the Secretary signs the ROD for the legislative proposal.

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.43 WSR River Study Report. A detailed WSR river study report must be prepared for only those rivers determined suitable and recommended for designation pursuant to Section 5(d)(1), and for all rivers determined either suitable or unsuitable and/or recommended for designation pursuant to Section 5(a) of the WSR. No such report is necessary for State-initiated Section 2(a)(ii) rivers. The elements of the WSR river study report shall summarize and incorporate all relevant river information contained in the RMP/EIS or separate EIS. **Illustration 6** provides a generic outline for a WSR river study report. Section 4(a) of the WSR and the 1982 USDI-USDA Guidelines describe and discuss content requirements, specific topics to be addressed, and the way in which information should be presented in such a study report. The WSR river study report, RMP, EIS (or separate EIS as required), must be submitted to the Director (WO-172) for review and subsequent transmittal to Congress. **Illustration 7** provides examples of transmittal letters. The assessment of suitable WSR river segments should be arranged in the RMP/EIS so that they can be extracted or forwarded to the President with the accompanying BLM recommendation. Until the recommendation is reviewed by the BLM Director and the Secretary of the Interior, it shall remain as a preliminary administrative recommendation subject to modification. Final decisions are made by Congress.

A. Section 5(a) Studies. BLM State Directors have delegated authority to draft and finalize Congressionally mandated studies and reports concerning eligibility and suitability for WSR rivers. Transmittal of any studies or reports must be forwarded to the Director, for subsequent routing through the Department, as necessary, the President, and to Congress. Should a separate EIS be required, the Assistant Secretary - Policy, Management, and Budget (PMB), through the Office of Environmental Affairs (OEPC), must review and authorize BLM to file the document with the Environmental Protection Agency (EPA).

B. Section 5(d)(1) Studies. BLM State Directors have delegated authority to file draft and proposed RMPs, along with associated environmental impact statements (EISs) as they are administrative in nature. Section 5(d)(1) of the WSR requires federal agencies in the normal course of resource management planning to review potential WSR rivers. Although evaluation of rivers within RMP/EISs does not require staff review and filing clearance from OEPC, States may elect to request OEPC involvement at the regional and Washington Office level concerning NEPA/CEQ requirements during preparation of the RMP/EIS.

1. Where a suitability determination is not made in the RMP, a separate EIS is required as part of any reporting package (or plan amendment) to make that determination (See Section .33A). If a separate EIS is required, the Secretary files it based on OEPC approval (516 DM 6.3B). One significant difference between this EIS and an RMP/EIS associated with WSR river studies is the degree of scrutiny it receives. Close coordination and consultation with OEPC should occur at the earliest possible time in the preparation of the document. OEPC will review for concurrence the environmental analysis accompanying any legislative recommendations extracted either from the RMP/EIS and/or separate EIS (WSR portion only) and approve the printing.

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.5 Management.

.51 Management of Designated WSR Rivers. The WSRA established a method for providing Federal protection for the remaining free-flowing rivers and preserves them and their immediate environments for the use and enjoyment of present and future generations. Rivers are included in the NWSRS so that they may benefit from the protective management for which the Act provides. The following requirements supplement the September 7, 1982 (47 FR 39454), joint USDI-USDA Guidelines. They apply to designated rivers by their incorporation in management plans which are normally developed within 3 years of Congressional designation. These requirements also apply to designated rivers prior to completion of a comprehensive river management plan and congressionally authorized study rivers. For the sake of clarity, management requirements and objectives are presented for separate river classifications (wild, scenic, and recreational river areas). This section is interpreted by the Secretaries of the Interior and Agriculture as the nondegradation and enhancement policy for all designated river areas, regardless of classification. Section 10(a) of the Act states that:

"Each component of the National Wild and Scenic Rivers System shall be administered in such a manner as to protect and enhance the values which caused it to be included in said system without, insofar as is consistent therewith, limiting other uses that do not substantially interfere with public use and enjoyment of these values. In such administration, primary emphasis shall be given to protecting its esthetic, scenic, historic, archeologic, and scientific features. Management plans for any such component may establish varying degrees of intensity for its protection and development, based on the special attributes of the area."

A. Wild River Areas. Wild river areas are defined by the WSRA to include,

"Those rivers or sections of rivers that are free of impoundments and generally inaccessible except by trail, with watersheds or shorelines essentially primitive and waters unpolluted. These represent vestiges of primitive America."

1. Management Objective for Wild River Areas. Management of wild river areas shall give primary emphasis to protecting the values which make it outstandingly remarkable while providing river-related outdoor recreation opportunities in a primitive setting.

2. Management Standards for Wild River Areas. Allowable management practices might include construction of minor structures for such purposes as: improvement of fish and game habitat; grazing protection from fire, insects, or disease; and rehabilitation or stabilization of damaged resources, provided the area will remain natural appearing and the practices or structures are compatible and in harmony with the environment. The BLM assigns a Class I visual resource inventory to all designated rivers classified as wild (see BLM Handbook H-8410-1, Visual Resource Inventory, page 6, paragraph 1). Class I is assigned to those areas and mandate preserve a natural landscape. Developments such as trail bridges, occasional fencing, natural-appearing water diversions, ditches, flow measurement or other water management devices, and similar facilities may be permitted if they are unobtrusive and do not have a significant direct and adverse effect on the natural character of the river area. The following program management standards apply:

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a. Forestry Practices. Cutting of trees shall not be permitted except when needed in association with a primitive recreation experience (such as clearing for trails and for visitor safety or to protect the environment (such as control of fire). Timber outside the boundary, but within the visual corridors should, where feasible, be managed and harvested in a manner to provide special emphasis to visual quality.

b. Water Quality. Water quality shall be maintained or improved to meet Federal criteria or Federally approved State standards. (River management plans shall prescribe a process for monitoring water quality on a continuing basis).

c. Hydroelectric Power and Water Resource Development. No development of hydroelectric power facilities would be permitted. No new flood control dams, levees, or other works shall be allowed in the channel or river corridor. All water supply dams and major diversions are prohibited. The natural appearance and essentially primitive character of the river area must be maintained. Federal agency groundwater development for range, wildlife, recreation, or administrative facilities may be permitted if there are no adverse affects on outstandingly remarkable river related values.

d. Mining. New mining claims and mineral leases are prohibited on Federal lands constituting the river bed or bank or located within 1/4 mile (½ mile for designated rivers and up to 4 miles for study rivers in Alaska) from the ordinary high water mark on both sides of the river. Valid existing claims would not be abrogated and, subject to existing regulations (e.g., 43 CFR 3809) and any future regulations that the Secretary of the Interior may prescribe to protect the rivers included in the National System, existing mining activity would be allowed to continue. All mineral activity on federally administered land must be conducted in a manner that minimizes surface disturbance, water sedimentation, pollution, and visual impairment. Reasonable mining claim and mineral lease access shall be permitted. Mining claims, subject to valid existing rights, within the wild river area boundary can be patented only as to the mineral estate and not the surface estate (subject to proof of discovery prior to the effective date of designation).

e. Road and Trail Construction. No construction of new roads, trails, or other provisions for overland motorized travel would be permitted within the river corridor. A few inconspicuous roads or unobtrusive trail bridges leading to the boundary of the river area may be permitted.

f. Agricultural Practices and Livestock Grazing. Agricultural use is restricted to a limited amount of domestic livestock grazing and hay production to the extent practiced prior to designation. Row crops are prohibited.

g. Recreation Facilities. Major public use areas, such as campgrounds, interpretive centers, or administrative headquarters are located outside wild river areas. Simple comfort and convenience facilities, such as toilets, tables, fireplaces, shelters, and refuse containers may be provided as necessary within the river area. These should harmonize with the surroundings. Unobtrusive hiking and horseback riding trail bridges could be allowed on tributaries, but would not normally cross the designed river.

h. Public Use and Access. Recreation use including, but not limited to, hiking, fishing, and boating is encouraged in wild river areas to the extent consistent with the protection of the river environment. Public use and access may be regulated and distributed where necessary to protect and enhance wild river values.

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i. Rights-of-Way. New transmission lines, natural gas lines, water lines, etc., are discouraged unless specifically authorized by other plans, orders or laws. Where no reasonable alternate location exists, additional or new facilities shall be restricted to existing rights-of-way. Where new rights-of-way are unavoidable, locations and construction techniques shall be selected to minimize adverse effects on wild river area related values and fully evaluated during the site selection process.

j. Motorized Travel. Motorized travel on land or water could be permitted but it is generally not compatible with this river classification. Normally, motorized use will be prohibited in a wild river area. Prescriptions for management of motorized use may allow for search and rescue and other emergency situations.

k. Instream Flow Assessment. To the extent practical and consistent with resource management objectives, instream flows sufficient to meet the purposes of the designated WSR river should be protected and enhanced if possible. Based on the results of an instream flow assessment, implement flow protection strategies and actions that incorporate legal, technical, and administrative aspects in order to secure instream flow protection for applicable river segments. Protection strategies should be addressed and incorporated in river management plans.

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B. Scenic River Areas. Scenic river areas are defined by the WSRA to include,

"Those rivers or sections of rivers that are free of impoundments, with shorelines or watersheds still largely primitive and shorelines largely undeveloped, but accessible in places by roads."

1. Management Objective for Scenic River Areas. Management of scenic river areas should maintain and provide outdoor recreation opportunities in a near-natural setting. The basic distinctions between a "wild" and a "scenic" river area are the degree of development, types of land use, and road accessibility. In general, a wide range of agricultural, water management, silvicultural, and other practices or structures could be compatible with scenic river values, providing such practices or structures are carried on in such a way that there is no substantial adverse effect on the river and its immediate environment.

2. Management Standards for Scenic River Areas. The same considerations set forth for wild river areas should be considered, except that motorized vehicle use may, in some cases, be appropriate and that development of larger scale public use facilities within the river area, such as moderate-sized campgrounds, interpretive centers, or administrative headquarters would be compatible if such facilities were screened from the river. The following program management standards apply:

a. Forest Practices. Silvicultural practices including timber harvesting could be allowed provided that such practices are carried on in such a way that there is no substantial adverse effect on the river and its immediate environment. The river area shall be maintained in its near-natural condition. Timber outside the boundary, but within the visual seen area, should be managed and harvested in a manner which provides special emphasis on visual quality. Preferably, reestablishment of tree cover would be through natural revegetation. Cutting of dead and down materials for fuelwood should be limited. Where necessary, restrictions on use of wood for fuel may be prescribed.

b. Water Quality. Water quality shall be maintained or improved to meet Federal criteria or federally approved State standards. (River management plans shall prescribe a process for monitoring water quality on a continuing basis.)

c. Hydroelectric Power and Water Resource Development. No development of hydroelectric power facilities would be permitted. Flood control dams and levees would be prohibited. All water supply dams and major diversions are prohibited. Maintenance of existing facilities and construction of some new structures would be permitted provided that the area remains natural in appearance and the practices or structures harmonize with the surrounding environment.

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d. Mining. Subject to existing regulations (e.g., 43 CFR 3809) and any future regulations that the Secretary of the Interior may prescribe to protect the values of rivers included in the National System, new mining claims and mineral leases can be allowed. All mineral activity on federally administered land must be conducted in a manner that minimizes surface disturbance, water sedimentation and pollution, and visual impairment. Reasonable mining claim and mineral lease access will be permitted. Mining claims, subject to valid existing rights, within the scenic river area boundary can be patented only as to the mineral estate and not the surface estate (subject to proof of discovery prior to the effective date of designation).

e. Road and Trail Construction. Roads or trails may occasionally bridge the river area and short stretches of conspicuous or long stretches of inconspicuous and well-screened roads could be allowed. Maintenance of existing roads and trails, and any new roads or trails, shall be based on the type of use for which the roads/trails are constructed and the type of use that will occur in the river area.

f. Agricultural Practices and Livestock Grazing. In comparison to wild river areas, a wider range of agricultural and livestock grazing uses is permitted to the extent currently practiced. Row crops are not considered as an intrusion of the "largely primitive" nature of scenic corridors as long as there is not a substantial adverse effect on the natural-like appearance of the river area.

g. Recreation Facilities. Larger scale public use facilities, such as moderate-sized campgrounds, interpretive centers, or administrative headquarters are allowed if such facilities are screened from the river.

h. Public Use and Access. Recreation use including, but not limited to; hiking, fishing, hunting, and boating is encouraged in scenic river areas to the extent it is consistent with the protection of the river environment. Public use and access may be regulated and distributed where necessary to protect and enhance scenic river values.

i. Rights-of-Way. New transmission lines, natural gas lines, etc., are discouraged unless specifically authorized by other plans, orders, or laws. Where no reasonable alternate location exists, additional or new facilities should be restricted to existing rights-of-way. Where new rights-of-way are unavoidable, locations and construction techniques shall be selected to minimize adverse effects on scenic river area related values and fully evaluated during the site selection process.

j. Motorized Travel. Motorized travel on land or water may be permitted, prohibited, or restricted to protect river values. Prescriptions for management of motorized use may allow for search and rescue and other emergency situations.

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k. Instream Flow Assessment. To the extent practical, consistent with resource management objectives, quantify instream flow and protection requirements related to outstandingly remarkable and other resource values identified through the RMP process. Where possible, conduct a comprehensive, interdisciplinary, resource value-based assessment in order to delineate resource values, relate flows to resource conditions, and formulate flow protection strategies which incorporate legal, technical, and administrative aspects in order to secure instream flows which address values associated with the scenic river segment.

C. Recreational River Areas. Recreational river areas are defined by the WSRA to include,

"Those rivers or sections of rivers that are readily accessible by road or railroad, that may have some development along their shorelines, and that may have undergone some impoundment or diversion in the past."

1. Management Objective for Recreational River Areas. Management of recreational river areas shall give primary emphasis to protecting the values which make it outstandingly remarkable while providing river-related outdoor recreation opportunities in a recreational setting. Recreational classification is a determination of the level of development and does not prescribe or assume recreation development or enhancement. Management of recreational river areas can and should maintain and provide outdoor recreation opportunities. The basic distinctions between a "scenic" and a "recreational" river area are the degree of access, extent of shoreline development, historical impoundment or diversion, and types of land use. In general, a variety of agricultural, water management, silvicultural, recreational, and other practices or structures are compatible with recreational river values, providing such practices or structures are carried on in such a way that there is no substantial adverse effect on the river and its immediate environment.

2. Management Standards for Recreational River Areas. Recreation facilities may be established in proximity to the river, although recreational river classification does not require extensive recreational development. Recreational facilities may still be kept to a minimum, with visitor services provided outside the river area. Future construction of impoundments, diversions, straightening, riprapping, and other modification of the waterway or adjacent lands would not be permitted except in instances where such developments would not have a direct and adverse effect on the river and its immediate environment. The following program management standards apply:

a. Forestry Practices. Forestry practices including timber harvesting shall be allowed under standard restrictions to avoid adverse effects on the river environment and its associated values.

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b. Water Quality. Water quality shall be maintained or improved to meet Federal criteria or federally approved State standards. (River management plans shall prescribe a process for monitoring water quality on a continuing basis.)

c. Hydroelectric Power and Water Resource Development. No development of hydroelectric power facilities would be permitted. Existing low dams, diversion works, rip rap, and other minor structures may be maintained provided the waterway remains generally natural in appearance. New structures may be allowed provided that the area remains generally natural in appearance and the structures harmonize with the surrounding environment.

d. Mining. Subject to existing regulations (e.g., 43 CFR 3809) and any future regulations that the Secretary of the Interior may prescribe to protect values of rivers included in the National System, new mining claims are allowed and existing operations are allowed to continue. All mineral activity on federally administered land shall be conducted in a manner that minimizes surface disturbance, water sedimentation and pollution, and visual impairment. Reasonable mining claim and mineral lease access shall be permitted. Mining claims, subject to valid existing rights, within the recreational river area boundary can be patented only as to the mineral estate and not the surface estate (subject to proof of discovery prior to the effective date of designation).

e. Road and Trail Construction. Existing parallel roads can be maintained on one or both river banks. There can be several bridge crossings and numerous river access points. Roads, trails, and visitor areas shall conform to construction and maintenance standards and be free of recognized hazards.

f. Agricultural Practices and Livestock Grazing. In comparison to scenic river areas, lands may be managed for a full range of agriculture and livestock grazing uses, consistent with current practices.

g. Recreation Facilities. Interpretive centers, administrative headquarters, campgrounds, and picnic areas may be established in proximity to the river. However, recreational classification does not require extensive recreation development.

h. Public Use and Access. Recreation use including, but not limited to, hiking, fishing, hunting, and boating is encouraged in recreational river areas to the extent consistent with the protection of the river environment. Public use and access may be regulated and distributed where necessary to protect and enhance recreational river values. Any new structures shall meet established safety and health standards or in their absence be free of any recognized hazard.

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i. Rights-of-Way. New transmission lines, natural gas lines, water lines, etc., are discouraged unless specifically authorized by other plans, orders, or laws. Where no reasonable alternate location exists, additional or new facilities shall be restricted to existing rights-of-way. Where new rights-of-way are unavoidable, locations and construction techniques shall be selected to minimize adverse effects on recreational river area related values and fully evaluated during the site selection process.

j. Motorized Travel. Motorized travel on land will generally be permitted, on existing roads. Controls will usually be similar to that of surrounding lands. Motorized travel on water shall be in accordance with existing regulations or restrictions.

k. Instream Flow Assessment. To the extent practical, consistent with resource management objectives, quantify instream flow and protection requirements related to outstandingly remarkable and other resource values identified through the RMP process. Where possible, conduct a comprehensive, interdisciplinary, resource value-based assessment in order to delineate resource values, relate flows to resource conditions, and formulate flow protection strategies which incorporate legal, technical, and administrative aspects in order to secure instream flows which address values associated with the recreational river segment.

D. Management Objectives Common to Wild, Scenic, and Recreational River Areas.

1. Wilderness and Wilderness Study Areas. Management of WSR rivers which overlap designated wilderness areas or wilderness study areas shall meet whichever standard is highest. If an area is released from wilderness study status and the associated Wilderness Interim Management Policy, the applicable WSR river classification guidelines and standards would then apply.

2. Fire Protection and Suppression. Management and suppression of fires within a designated WSR river area shall be carried out in a manner compatible with contiguous Federal lands. On wildfires, suppression methods shall be used that minimize long-term impacts on the river and river area. Presuppression and prevention activities shall be conducted in a manner which reflects management objectives for the specific river segment. Prescribed fire may be used to maintain or restore ecological condition or meet objectives of the river management plan.

3. Insects, Diseases, and Noxious Weeds. The control of forest and rangeland pests, diseases, and noxious weed infestations shall be carried out in a manner compatible with the intent of the WSRA and management objectives of contiguous Federal lands.

4. Cultural Resources. Historic prehistoric resource sites shall be identified, evaluated, and protected in a manner compatible with the management objectives of the river and in accordance with applicable regulations and policies. Where appropriate, historic or prehistoric sites shall be stabilized, enhanced, and interpreted.

5. Fish and Wildlife Habitat Improvement. The construction and maintenance of minor structures for the protection, conservation, rehabilitation, or enhancement of fish and wildlife habitat are acceptable provided they do not affect the free-flowing characteristics of the WSR river, are compatible with the river's classification, that the area remains natural in appearance, and the practices or structures harmonize with the surrounding environment.

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6. Water Rights. In the process of evaluating river segments, authorizing officials are held to established principles of law with respect to water rights. Under provisions of Section 13 of the WSR, as well as other statutes, river studies shall not interfere (except for licenses under Section 7(b) of the WSR, pertaining to Section 5(a) WSR river studies) with existing rights, including the right of access, with respect to the beds of navigable streams, tributaries, or river segments. In addition, under the Federal Land Policy and Management Act and the Federal Power Act, the BLM has conditioning authority to control any proposed projects which would be incompatible or potentially degrading to rivers and/or other identified resource values.

.52 Management of Study Rivers or Those to be Evaluated.

A. Section 2(a)(ii) Rivers. Rivers under this Section are subject to State legislative action and/or other administrative protection. Where these rivers cross public domain or lands administered by the BLM, they are subject to the same requirements as Section 5(d) study rivers as stated below.

B. Section 5(a) Rivers. While there is no impact of study authorization by Congress on non-Federal lands within the study boundary, there is legislative protection for any federally approved development in three ways: (1) a moratorium is automatically placed on any new mining claims filed on Federal lands within the designated river study area; (2) any federally supported or approved water resource projects may be built only to the same degree as that they would have been if the river were a WSR river, i.e., there can be no direct and adverse effects on the river's outstandingly remarkable values. Hydroelectric projects licensed by the Federal Energy Regulatory Commission and Federal water resource projects which could have a direct and adverse effect on the river shall be forestalled; and (3) if a river is bounded by Federal land, the responsible managing agency shall manage these lands in such a manner to avoid degrading the river corridor during the study period.

1. This protection shall remain in place during the course of the study (usually 3 years) until the report is sent to Congress. Then, Congress has up to 3 years, as needed, to consider designation. If there is a gap between the time when the evaluation is scheduled for completion and when it is actually submitted to Congress, the protection provisions remain in effect for that period of time as well. Thus, the total Section 5(a) study protection period could equal or exceed 6 years. In addition, the management requirements outlined in Section .53 apply.

C. Section 5(d) Rivers. Once a river segment has been determined eligible, BLM's policy shall be to protect and, where possible, enhance any identified outstandingly remarkable river values pending a subsequent suitability determination and/or designation decision by Congress. BLM's management protection requirements shall be applied to the entire river study area (identified river segment and corridor) except for private or State lands. Where private, State, or other owners/administrators of lands are located within the river study area, consultation and coordination to protect river values shall be encouraged. Management and development of the eligible river and its corridor cannot be modified, subject to valid existing rights, to the degree that its eligibility or tentative classification would be affected, i.e., its tentative classification cannot be changed from wild river area to scenic river area, or scenic river area to recreational river area. Once a river segment is determined eligible, the appropriate prospective tentative classification (wild, scenic, and/or recreational river area), along with management requirements outlined in Section 5, shall be included in the RMP. Specific management requirements as outlined in Section .32C for eligible river corridors will provide protection for:

1. Free-flowing values/characteristics cannot be modified through stream impoundments, diversions, channelization, and/or rip-rapping to the extent BLM is authorized under law.

2. Outstandingly remarkable values (subject to valid existing rights) to the extent practicable, enhanced.

.53

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.53 Management of Rivers Determined Suitable or Unsuitable.

A. Withdrawal Action. Where determined necessary by resource management objectives as outlined in the RMP or other sources, action may be initiated to withdraw the river corridor/area. Segregative effects and timeframes shall depend upon management objectives or the threat (existing or potential) to river values. Distinctions need to be made in the justification and/or public land order as to segregative effects from the public land laws (i.e., withdrawal from entry, sale, or disposition) and/or minerals (i.e., withdrawal from mineral entry and/or mineral leasing laws). Sections 8 and 9 of the WSRRA should be referenced and used as a guide.

B. Special Protection. Those river segments determined suitable for inclusion as components of the NWSRS but not withdrawn from existing or potential nonconforming uses, should be managed at the highest tentative classification category. Management activities and authorized uses shall not be allowed to adversely affect either eligibility or the tentative classification, i.e., actions that would change the tentative classification from wild river area to scenic river area or scenic river area to recreational river area (subject to valid existing rights). For example, should placer mining be a threat to protecting river values, the RMP or activity plan should provide a basis for determining "unnecessary and undue degradation" as provided for in 43 CFR 3809 and specify concurrent reclamation or productive second use conditions as a part of any required plans of operation. For river segments determined unsuitable in the RMP, the river shall be managed in accordance with the management objectives as outlined in the RMP.

.54 Management of Designated WSR Rivers. Section .5 of this Manual, the 1982 USDI-USDA guidelines, as well as the WSRRA (specifically Sections 6 through 15) shall be used by the BLM in managing designated WSR rivers under its stewardship.

A. Final Boundary Determination. Section 3(b) of the WSRRA states:

The agency charged with the administration of each component of the national wild and scenic rivers system designated. . .shall, within one year from the date of designation of such component. . .(except where a different date is provided. . .), establish detailed boundaries (which boundaries shall include an average of not more than 320 acres of land per mile measured from the ordinary high water mark on both sides of the river); and determine which of the classes outlined in section 2(b) best fit the river or its various segments. Notice of the availability of the boundaries and classification, and of subsequent boundary amendments shall be published in the Federal Register and shall not become effective until ninety days after they have been forwarded to the President of the Senate and the Speaker of the House of Representatives.

1. Section 3(c) of the WSRRA requires maps of all boundaries and descriptions of the classifications of designated river segments, as well as any subsequent amended boundaries, be available for public inspection in the offices of the administering agency in the District of Columbia and in locations convenient to the designated river.

2. The final boundary is generally one quarter mile (1,320 feet) from the ordinary high water mark on both sides of the river. (See Section .25 above) This boundary, by Section 3(b) of the WSRRA, can be narrower or wider on either side of the river as long as the total corridor width averages no more than 320 acres per river mile. Corridor boundaries for designated WSR rivers are delineated by legally identifiable lines (survey or property lines) or some form of on-the-ground physical feature (canyon rims, roads, etc.) which provide the basis for protecting the river's outstandingly remarkable values. In certain site-specific cases, including where acquisition of lands

may be involved, a survey may be needed to monument the outer limits of the designated WSR river corridor. **Illustration 8** provides examples of transmittal letters concerning WSR boundary(ies) establishment.

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B. Management Plans. Section 3(d)(1) of the WSRA requires that a comprehensive management plan be prepared within 3 full fiscal years after the date of designation. **Illustration 9** provides a sample outline for a WSR River Management Plan. The plan must address resource protection, development of lands and facilities, user capacities, and other management practices necessary or desirable to achieve the purposes of the WSRA.

1. Where a river crosses more than one State, State Directors involved shall jointly prepare and approve the management plan. The plan shall be coordinated with and may be incorporated into resource management planning for any affected adjacent Federal lands. It shall be prepared in consultation with State and local governments and interested publics. Notice of the completion and availability of such plans must be published in the Federal Register, along with other means for public notification. In order to avoid duplication by individual agencies where rivers overlap various jurisdictions, multiagency plans should be considered.

2. River management plans are implementation plans. Additional environmental assessments may be prepared for each implementation plan and in some instances a separate EIS may be required unless it conforms with existing land use plans and NEPA documentation. The environmental analysis may be tiered to the EIS prepared along with the RMP. The Limits of Acceptable Change (LAC) concept should be used for all WSR implementation plans as appropriate.

3. For any river component designated by administrative action of the Secretary of the Interior with regard to State designated rivers under Section 2(a)(ii), BLM State Directors shall ensure a river management plan is prepared in accordance with the same requirements as stated above.

4. Where overlapping designations exist, e.g., wilderness and WSR rivers, the highest protective classification/designation will apply.

.55 Appeals to WSR River Management Decisions. Appeals related to the implementation of management actions must be filed in accordance with Title 43 Code of Federal Regulations (CFR), Part 4.

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GLOSSARY

-C-

Coordinated or Concurrent Studies: Wild and Scenic River studies by more than one agency or entity.

Classification: The process whereby designated rivers are segmented according to the criteria and classes (wild, scenic, and/or recreational river areas) established in Section 2(b) of the Wild and Scenic Rivers Act.

-D-

Designation: The process whereby additional components are added to the National Wild and Scenic Rivers System under Section 2(a) of the Act. Inclusion of a river area into the National Wild and Scenic Rivers System (NWSRS) either by Act of Congress under section 2(a)(i) or by administrative action of the Secretary of the Interior with regard to State designated rivers under section 2(a)(ii).

-E-

Eligibility: Qualification of a river for inclusion into the NWSRS through determination that it is free-flowing and with its adjacent land area possesses at least one river-related value considered to be outstandingly remarkable.

-F-

Free-flowing: Existing or flowing in natural condition without impoundment, diversion, straightening, rip-rapping, or other modification of the waterway. (Section 15(b) of the Wild and Scenic Rivers Act).

-L-

Limits of Acceptable Change (LAC) System: A framework for establishing acceptable and appropriate resource and social conditions in recreation settings. A system of management planning. Refer to USDA Forest Service General Technical Report INT-176, January 1985, Intermountain Forest and Range Experiment Station, Ogden, Utah.

-N-

Nationwide Rivers Inventory (NRI): An incomplete national inventory of potential wild and scenic rivers conducted by the Bureau of Outdoor Recreation in 1969. It provides baseline data on the condition and extent of significant free-flowing river resources in the Nation, except for Alaska, Montana, and parts of the Pacific Northwest.

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-O-

Outstandingly Remarkable Values: Values among those listed in Section 1(b) of the Act: "scenic, recreational, geological, fish and wildlife, historical, cultural, or other similar values...." Other similar values which may be considered include ecological, biological or botanical, paleontological, hydrological, scientific or research values.

Ordinary High Water Mark:

-P-

Public Lands and Related Waters: Lands or interest in lands administered by the Bureau of Land Management. Related waters are waters which lie directly over or adjacent to public lands and require some management control to protect federally administered resources or to provide for enhanced visitor safety.

-R-

Recreation Opportunity Spectrum (ROS): A continuum used to characterize recreation opportunities in terms of setting, activity and experience opportunities. The spectrum covers a range of recreation opportunities from primitive to urban. With respect to river management planning, ROS represents one possible method for delineating management units or zones. See BLM Manual Section 8320 for more detailed discussion.

River: A flowing body of water or estuary or a section, portion, or tributary thereof, including rivers, streams, creeks, runs, kills, rills, and small lakes. (Section 16(a) of the Wild and Scenic Rivers Act).

River Area: That portion of a river (segment or corridor) authorized either by Congress or an agency for study and its immediate environment comprising a minimum area extending at least 1/4 mile (1/2 mile to 2 miles in Alaska) from each river bank. For designated rivers, the river and adjacent land within the authorized boundaries.

-S-

Study Report: The report on the suitability or nonsuitability of a study river for the inclusion in the National Wild and Rivers System which Section 4(a) of the Act requires the Secretary of the Interior, or the Secretary of Agriculture, or both jointly to prepare and submit to the President. The President transmits the report with his recommendation(s) to the Congress.

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-W-

Wild, Scenic, and/or Recreational (WSR): The term used in this Manual Section for what is traditionally shortened to "Wild and Scenic" rivers. Designated river segments are classified, i.e., wild, scenic, and/or recreational, but cannot overlap.

Wild and Scenic Rivers Act (WSRA): National Wild and Scenic Rivers Act (WSRA) of 1968, as amended, P.L. 90-542 (16 U.S.C. 1271-87, et seq.).

Wild and Scenic Study River: Rivers identified in Section 5 of the Wild and Scenic Rivers Act for study as potential additions to the National Wild and Scenic Rivers System. The rivers shall be studied under the provisions of Section 4 of the Act.

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Eligibility Determination Summary Chart
(Section 2 of the WSRA)

Must be a **River** which is defined as:

flowing body of water, or
estuary, or
section, portion, or tributary thereof, including:
 rivers,
 streams,
 creeks,
 runs,
 kills,
 rills,
 and small lakes

Must be:

Free-flowing, which is defined as:

Existing or flowing in a natural condition without:
 impoundment, with exceptions (low dams, diversion works, and other
 minor structures)
 diversion
 straightening
 rip-rapping, or
 other major modification of the waterway (channelization)

And can:

 be any size/length
 lie between impoundments or major dams
 be nonfloatable/nonboatable
 be intermittent/nonperennial

And must possess at least one outstandingly remarkable value, i.e.:

 Scenic,
 Recreational,
 Geologic,
 Fish and Wildlife,
 Historic,
 Cultural, or
 Other similar values, such as:
 Biological,
 Botanical,
 Ecological,
 Hydrological
 Paleontological,

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Attributes and Management Objectives of the Three River Classifications for Inclusion in the National Wild and Scenic Rivers System			
I. Attributes	Wild	Scenic	Recreational
	<p>1. Free-flowing. Low dams, diversion works or other minor structures which do not inundate the natural riverbank may not bar consideration as wild. Future construction restricted.</p> <p>2. Generally inaccessible by road. One or two inconspicuous roads to the area may be permissible.</p> <p>3. Shorelines essentially primitive. One or two inconspicuous dwellings and land devoted to production of hay may be permitted. Watershed natural-like in appearance.</p> <p>4. Water quality meets minimum criteria for primary contact recreation except where such criteria would be exceeded by natural background conditions and esthetics and capable of supporting propagation of aquatic life normally adapted to habitat of the stream.</p> <p>See Manual Section .51</p>	<p>1. Free-flowing. Low dams, diversion works or other minor structures which do not inundate the natural riverbank may not bar consideration. Future construction restricted.</p> <p>2. Accessible by roads which may occasionally bridge the river area. Short stretches of conspicuous or longer stretches of inconspicuous and well-screened roads or railroads paralleling river area may be permitted.</p> <p>3. Shoreline largely primitive. Small communities limited to short reaches of total area. Agricultural practices which do not adversely affect river area may be permitted.</p> <p>4. Water quality should meet minimum criteria for desired types of recreation except where such criteria would be exceeded by natural background conditions and esthetics and capable of supporting propagation of aquatic life normally adapted to habitat of the stream, or capable of and is being restored to that quality.</p> <p>See Manual Section .51</p>	<p>1. May have undergone some impoundment or diversion in the past. Water should not have characteristics of an impoundment for any significant distance. Future construction restricted.</p> <p>2. Readily accessible, with likelihood of paralleling roads or railroads along river banks and bridge crossings.</p> <p>3. Shoreline may be developed.</p> <p>4. Water quality should meet minimum criteria for desired types of recreation except where such criteria would be exceeded by natural background conditions and esthetics and capable of supporting propagation of aquatic life normally adapted to habitat of the stream or is capable of and is being restored to that quality.</p> <p>See Manual Section .51</p>
II. Management Objectives			

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SAMPLE FORMAT
DOCUMENTATION OF ELIGIBILITY

SECTION A

Eligibility Assessment for River Segments Identified
for Possible Inclusion as Components of the National
Wild and Scenic Rivers System

<u>River Name</u>	<u>Reason 1/ for Consideration</u>	<u>Total Length Segment Description (District's)</u>	<u>Total BLM 2/ Jurisdiction (Miles)</u>	<u>Acreage</u>
South Fork	a,c,d,f and g	Headwaters to confluence with Colby Creek	12.5	
Marsh River (Segment A)				2,856
South Fork	a,c,d,f and g	Colby Creek to confluence with Kelsey	2.5	
Marsh River (Segment B)		Creek		0

1/

a - Nationwide Rivers Inventory List

b - Designated State Scenic Waterway or other per mile measured from the ordinary high water mark on both sides of the river

c - Potential Rivers Inventory - Statewide Comprehensive Outdoor Recreation Plan

d - 1987 Recreational Values on Rivers

e - 1987 Pacific Northwest Rivers Study

f - 1988 Outstanding Rivers List - American Rivers, Inc.

g - Potential Rivers Inventory - Abdon District

h - Other (as indicated)

2/ Shoreline and adjacent lands within 1/4 mile of the river segment not to exceed 320 acres

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SAMPLE FORMAT
DOCUMENTATION OF ELIGIBILITY

SECTION B

Eligibility Assessment for River Segments Identified
for Possible Inclusion as Components of the National
Wild and Scenic Rivers System

<u>River Name</u>	<u>Description of Values - Either Outstandingly Remarkable or Less Than Outstandingly Remarkable</u>
South Fork Marsh River (Segment A)	<ul style="list-style-type: none"> - This segment has exceptional capability for salmon production above Cassidy Falls. - This segment has a fair population of indigenous cutthroat and rainbow trout. - Cassidy Falls is considered a unique geological feature in the region and contributes significantly to the area's outstanding scenery. - Recreational opportunities are considered outstanding, particularly in the vicinity of Coyle Recreation Site.
South Fork Marsh River (Segment B)	<ul style="list-style-type: none"> - The recreational fishery is considered outstanding, particularly the salmon fishery near the confluence with Kelsey Creek.

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SAMPLE FORMAT
DOCUMENTATION OF ELIGIBILITY

SECTION C

Eligibility Assessment for River Segments Identified
for Possible Inclusion as Components of the National
Wild and Scenic Rivers System

River Name	Free-Flowing		Outstandingly 3/ Remarkable							Eligibility				
	Values		Values							Potential Classification				
	Yes	No	a	b	c	d	e	f	g	Wild	Scenic	Recreational	Eligible	Noneligible
South Fork	x					x	x	x	x			x		
Marsh River (Segment A)														x
South Fork Marsh River (Segment B)	x			x	x						x		x	

3/ (See SECTION C for description of values)

- a - Scenic
- b - Recreational
- c - Geological
- d - Fish and Wildlife
- e - Historical
- f - Cultural
- g - Other Similar Values

9/10/88

Date

Manager, Finstick Field Office

8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
DIRECTION FOR IDENTIFICATION, EVALUATION, AND MANAGEMENT

PROCEDURES FOR PROCESSING PROPOSED LEGISLATION
TO DESIGNATE ADDITIONS TO THE NATIONAL WILD AND SCENIC RIVERS SYSTEM

1. State Director prepares and forwards to WO-172, 5 copies of proposed legislative package consisting of:
 - Draft study report including:
 - summary of RMP provisions
 - summary of environmental analysis from RMP/EIS
 - Draft letters of transmittal (recommendations for legislation)
2. WO-172 consults with WO-620 to ensure that proposed legislative package has sufficient information to enable WO-620 to draft legislation and transmittal letters. WO-172 prepares draft proposed legislation, transmittal letters, etc.
3. WO-620 requests review of legislative package by WO-172, WO-880, OEPC, and other affected program offices.
4. Director/Assistant Secretary briefed by State Director (Optional), (WO-172 coordinates).
5. WO-BLM and OEPC conduct concurrent reviews. OEPC forwards findings and suggested changes, if any to WO-172 (within 30 days).
6. WO-172 consolidates results of reviews and requests (as necessary) additional analysis and/or documentation from State Director.
7. WO-172 and OEPC concur that changes have been incorporated.
8. State Director prepares legislative information package and forwards 12 copies with diskettes to WO-172.
9. Directorate briefing (Optional) (WO-620 and WO-172 coordinate).
10. Package is approved/signed by Director and transmitted by WO-620 to Office of Legislative Counsel through the Assistant Secretary, Land and Minerals Management.
11. Departmental review.
12. WO-620 in coordination with WO-172 makes adjustments (as necessary) to package based on Departmental review. WO-620 prepares fact sheet and sends to program offices for clearance.
13. Legislative Counsel forwards package to Office Management and Budget (OMB)
14. WO-140 in coordination with WO-172 makes changes (as necessary) and returns package to Legislative Counsel for transmittal to:
 - President (1 copy minimum)
 - House (5 copies minimum)
 - Senate (5 copies minimum)
 - State Congressional delegation (1 copy minimum)

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SAMPLE RMP/EIS and/or WSR EIS
TABLE OF CONTENTS

<u>CHAPTER</u>	<u>CONTENTS</u>
Title Page	Signature Sheet/State Director
Summary	
Table of Contents	
Chapter 1	Introduction and Planning Process Purpose and Need for Action Location/Description of Study Area Environmental Issue Identification and Scoping Determination of Eligibility and Tentative Classification Development of Alternatives Alternatives Considered But Dropped from Analysis
Chapter 2	Proposed Action and Alternatives
Chapter 3	Affected Environment
Chapter 4	Environmental Consequences Impacts Assessed By Alternative
Chapter 5	Consultation/Coordination List of Preparers Reviewers and Responses Public Comments and Responses (Final EIS only)
Appendix	
Glossary	
References	
Maps	
Tables	

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SAMPLE WSR RIVER STUDY REPORT AND RECORD OF DECISION
TABLE OF CONTENTS

<u>SECTION</u>	<u>CONTENTS</u>
Cover Page	WSR River Study Report/Record of Decision
Record of Decision (Secretary signature block)	Executive Summary Narrative Tabular listing if more than one river
Title Page	(Optional - Not Required)
Table of Contents	(Required Only If More Than One River Segment)
Summary/Overview	(If Statewide Study or More Than One River) (Tabular listing as it appears in the ROD) Public Comments Received
Section 1	Location/Description of Study Area Map of River Study Area Length of River Segment(s) Joint Study Considerations Statistical Tabulation Narrative on acres, boundaries, etc...
Section 2	Eligibility Determination Tentative Classification Determination Map of tentatively classified river segments
Section 3	Criteria Considered in Developing the WSR River Recommendation Alternatives Considered
Section 4	Recommendation and Rationale
Section 5	Discussion of Analysis Considerations Evaluation of River Values Impacts on other Resources Local/Regional Socio-economic Considerations Manageability Summary Table - Environmental Consequences
Section 6	Management/Protection Considerations Land Status/Ownership Nonconforming Uses Protection Afforded Acquisition/Easement Needs Surveys Needed Estimate of Costs
Summary Photographs Appendix/Tables	River-Specific Public Comments (Incorporate Throughout Or Put At End of Document)

Honorable J. Danforth Quayle
President of the Senate
Washington, D.C. 20510

April 2, 1990

Dear Mr. President:

In accordance with Section 1 of the Omnibus State Wild and Scenic Rivers Act of 2000 (Public Law 200-123, 123 Stat. 1234), we are pleased to transmit to you the Final Eligibility and Suitability Report for the Upper K White Tributary Wild and Scenic River Study. Among other things, this study:

1. describes and analyzes the natural values in the river canyon;
2. determines if all or portions of the river are eligible for designation;
3. determines the highest potential classification -- wild, scenic or recreational -- for which eligible river segments qualify;
4. describes the characteristics which do or do not make the area a potential addition to the National System;
5. compares three alternative management strategies that would protect, to varying degrees, the characteristics that make the area a potential addition;
6. describes reasonably foreseeable effects that would result from designation compared to continuation of existing management; and,
7. describes applicable laws and regulations related to existing management and potential designation.

For analytical purposes, the river within the study area was divided into three segments. Based on criteria specified in the Wild and Scenic Rivers Act, the following determinations regarding potential designation of the segments in the National Wild and Scenic Rivers System were made:

<u>SEGMENT-Number-Name-(Length in miles)</u>	<u>ELIGIBLE/SUITABLE</u>	<u>HIGHEST CLASS</u>
1-Broad Dam to Broad Powerhouse-(4.2)	no / -	--
2-Broad Powerhouse to Stateline-(11.0)	yes / yes	scenic
3-Stateline to Cunninghame Lake-(5.3)	yes / yes	scenic

It is important to note that the study does not analyze physical, biological or socio-economic effects of land and resource uses that could be precluded by designation. For example, issues not addressed in detail by this study include:

1. whether designation is consistent with the K White Tributary River Basin Compact including alteration of mixed-use policy to single use, potential elimination of flow curtailment for agricultural use during water-short years and impact on ability to meet future existing demand for agricultural irrigation obligated in the Compact;
2. potential economic impact of designation on the rural community;
3. potential impact of designation on the northern part of the State and southcentral part of the State agricultural industry which is supplied by water through the Bureau of Reclamation's Hydroelectric Project;
4. elimination of future hydroelectric development options;
5. potential impact of designation on ability to improve water quality in the Upper K White Tributary River system, particularly through upstream water storage conservation above Cunninghame Lake;
6. whether designation is inconsistent with Federal power land withdrawals along the K White Tributary River; and,
7. potential impact of designation on future power rates to agricultural customers in the K White Tributary Basin.

The BLM also made a conscious effort to complement, yet avoid duplication of, analyses in the Federal Energy Regulatory Commission (FERC) Environmental Impact Statement (EIS) for the proposed Hydroelectric Project in the same river area. The effects of hydroelectric development are analyzed in the FERC Draft EIS on the proposed Hydroelectric Project and are not included in this report.

Public comment letters on the draft study are available for review through the BLM. Please contact BLM Director Cy Jamison if you have questions or wish further information on the Upper K White Tributary River.

A similar letter is being sent to Speaker of the House of Representatives Thomas S. Foley.

Sincerely,
/s/ Director

cc: Secy RF(2):MIB, rm. 6217
LM(2):MIB, rm. 6628
CL:MIB, rm. 6246
150:MIB, rm. 5558
172RF:301 LS
LLM:GMarsh:ggm:date:x3353;docnumber

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 Speaker of the House of Representatives
 Washington, D.C. 20515

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4. elimination of future hydroelectric development options;
5. potential impact of designation on ability to improve water quality in the Upper Tributary River system, particularly through upstream water storage conservation above Cunningham Lake;
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8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
DIRECTION FOR IDENTIFICATION, EVALUATION, AND MANAGEMENT

UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Washington Office

1849 C Street N.W.

Washington, D.C. 20240

January 11, 1990

1760 (140)

Memorandum

To: Legislative Counsel

Through: Assistant Secretary - Land and Minerals Management /s/ Dave O'Neal

From: Director, Bureau of Land Management

Subject: Proposed boundaries for 14 rivers added to the National Wild and Scenic Rivers System.

Submitted herewith are the transmittal letters and overview document (10 copies) which describe the proposed administrative boundaries for 14 rivers in Oregon that were added to the National Wild and Scenic rivers System. The establishment of these boundaries fulfills the requirements set forth in Section 3(b) of the Wild and Scenic Rivers Act, as amended.

Director

Attachments

8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
DIRECTION FOR IDENTIFICATION, EVALUATION, AND MANAGEMENT

UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Washington Office

1849 C Street N.W.

Washington, D.C. 20240

1760 (140)

Honorable Thomas S. Foley
Speaker of the House of Representatives
Washington, D.C. 20510

Dear Mr. Speaker:

In accordance with the requirements in Section 3(b) of the Wild and Scenic Rivers Act, as amended (16 U.S.C. 1274(b)), we are pleased to transmit to you the proposed administrative boundaries for 14 rivers (16 segments) that were added to the National Wild and Scenic Rivers System by enactment of the Omnibus Oregon Wild and Scenic Rivers Act of 1988 (16 U.S.C. 1271 et seq.). Public notice of the establishment and availability of the proposed boundaries was published in the Federal Register on December 11, 1989 (54 FR 50825).

Five rivers are contiguous to Bureau of Land Management and Forest Service lands. Packages for four of those contiguous segments, the Grande Ronde, North Fork Crooked, Salmon, and White are being submitted, along with the other 12 Wild and Scenic Rivers, by the Department of Agriculture.

Each boundary package (5 copies) includes as overview describing the process used to establish the proposed boundaries, specific river narratives, maps and legal descriptions. Narratives identify the outstandingly remarkable and significant values associated with each river, and how the proposed boundaries encompass these values.

It should be noted that the river boundaries are interim and that the final boundaries will be established through comprehensive management plans and appropriate environmental analysis. The plans shall be prepared after consultation with State and local governments, and the interested public. Notice of the completion and availability of such plans will be published in the Federal Register.

Sincerely,

Director

Enclosure

8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
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UNITED STATES DEPARTMENT OF THE INTERIOR

Bureau of Land Management

Washington Office

1849 C Street N.W.

Washington, D.C. 20240

1760 (140)

Honorable J. Danforth Quayle
President of the Senate
Washington, D.C. 20510

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Sincerely,

Director

Enclosure

SAMPLE WILD AND SCENIC RIVER MANAGEMENT PLAN OUTLINE

Executive Summary

Table of Contents

I. Introduction

- A. Background (History and Legislative Direction specific to the river)
- B. Purpose, Scope and Need for the Plan/Project
- C. Planning Context and Organization
 - 1. Relationship to other Federal, State, Local, Tribal Government Plans
 - 2. Relationship to Federal Regulatory Agencies
 - 3. Relationship to Regional Coordinating Entities
- D. Planning Process and Public involvement

II. Description of River Setting and Resource Values

- A. Overview
 - 1. Regional River Setting
 - 2. River Classification
 - 3. Landscape character (description of existing development level by segment)
 - 4. Land Ownership and Land-Use Description (includes level of development)
- B. Free-flow values and impacts
- C. Outstandingly Remarkable Values (sufficiently detailed to serve as baseline for desired management direction and monitoring)
- D. Other River Related Resource Values (as applicable)
 - 1. Water (Quality, Quantity, Rights)
 - 2. Water resource project development (Need/Value)
 - 3. Access, transportation, rights-of-way, land use authorizations
- E. Description of River Corridor (by resource activities and land uses, as applicable)
 - 1. Basic Hydrology
 - 2. Timber
 - 3. Agriculture and Livestock Grazing
 - 4. Visitor Use (by types/amounts, including user profile and visitation estimates, e.g., commercial/private)
 - a. Activity preferences (including recreation)
 - b. Season and times of use
 - c. Party size and place of origin
 - d. Visitation estimates
 - 6. Energy/Minerals and utilization
 - 7. Military operations (as applicable)
 - 8. County comprehensive planning (local land use zoning)
 - 9. Overlapping administrative/congressional designations
 - 10. Native American and tribal considerations
 - 11. Health, Safety, Search and Rescue Considerations
 - 12. Monitoring and Enforcement
 - 13. Information, Education, Interpretation, Signs

SAMPLE WILD AND SCENIC RIVER MANAGEMENT PLAN OUTLINE (Continued)

- III. Major Issues (as applicable)
 - A. Boundary identification and description (Statute, GPS, GIS, aliquot parts, etc.)
 - B. Private and nonfederal land uses
 - C. Visitor use capacities, rationing, use limits or allocations
 - D. Recreation development and/or construction activities
 - E. Instream flow, water quality and quantity (impacts to free-flow)
 - F. Section 7 of the WSRa assessment
 - G. State Scenic Waterway classifications
 - H. Acquisition Needs (Fee title, Easement, Rights-Of-Way)
- IV. Management Direction
 - A. Goals and Desired Future Conditions (defined objectives for each segment, including Recreation Opportunity Spectrum (ROS)/Limits of Acceptable Change (LAC) parameters/findings)
 - B. Standards and Guidelines by Resource
 - C. River Corridor Boundaries & Classifications
 - D. Zoning or River Protection Overlay
 - E. Section 7 Determination Process
 - F. Principles for Land Acquisition
- V. Management Actions
 - A. Guidance criteria for site-specific agency decisions (including ROS/LAC, etc)
 - B. Description of probable management actions (including objectives/intent by segment/classification)
 - 1. Proposed permitted river events/uses
 - 2. Priority areas for restoration, rehabilitation, or treatment
- VI. Implementation
 - A. Assignment of responsibility
 - B. Monitoring/evaluation strategy
 - 1. Standards and guidelines
 - 2. Indicators for management actions
 - 3. Process (intensity, frequency, personnel needs, costs/budgets)
 - C. Cost estimates (management, development, maintenance, acquisition)
 - D. Timetable
 - E. Partnerships, Cost-sharing, Volunteers
- VII. Environmental Analysis and Alternatives (WSR specific)
- VIII. Appendices
 - A. Annotated WSR Act, river-specific enabling legislation, other laws
 - B. Map Data/Maps, Legal Description of Boundaries
 - C. Resource Assessment (ORVs)
 - D. Inventory Documentation
 - E. River Related Studies (LAC, Visitor Capacity, Instream Flow, Water Quality/Quantity)
 - F. Water Resource Project Evaluation Process (Section 7 of WSR Act)
 - G. State, Local, Tribal regulations specific to protecting resource values
 - H. Bibliography
 - I. Glossary/Acronyms/Definitions
 - J. List of Preparers
- IX. List of Figures/Illustrations
 - A. Boundaries and Classifications
 - A. Outstandingly Remarkable Values
 - B. Management Zones, River Protection Overlays

X. List of Tables

XI.

APPENDIX

8351 - WILD AND SCENIC RIVERS - POLICY AND PROGRAM
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THE WILD AND SCENIC RIVERS ACT, AS AMENDED